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September 9, 2024

By ECF

Honorable Analisa Torres
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Philip Dallmann*, 22 Cr. 660 (AT)

Dear Judge Torres:

I write to respectfully request that the Court extend Mr. Dallmann's voluntary surrender by two weeks – until September 30, 2024. The reason for the request is that we learned on September 6, 2024 that Mr. Dallmann had been designated to a facility in Minnesota, and the extension will (1) allow Mr. Dallmann additional time to arrange to surrender in Duluth, Minnesota; and (2) allow counsel to attempt to find out why Mr. Dallmann was designated there, and whether it would be possible for him to be re-designated closer to home. I have contacted the Government as to its position, but have yet to hear back.

On July 11, 2024, the Court sentenced Mr. Dallmann to a term of imprisonment of 36 months, and set a voluntary surrender date of September 16, 2024. In the Judgment, the Court recommended that Mr. Dallmann be incarcerated at Fort Dix or as close to New Jersey as possible to facilitate family visitation.

At around 3:48 p.m. on September 6, 2024, counsel and Mr. Dallmann were informed that – despite the Court's recommendation, and the statutory command that the BOP "place the prisoner in a facility as close as practicable to the prisoner's primary residence, and to the extent practicable, in a facility within 500 driving miles of that residence," 18 U.S.C. § 3621(b) – Mr. Dallmann had been designated to FPC Duluth, in Minnesota.

We respectfully request that the Court extend the sentencing date for the reasons set forth above. Having to arrange travel to a facility in Minnesota is a much greater logistical challenge, and will cost far more, than having to surrender locally. In addition, the extension will allow time to explore whether Mr. Dallmann could be re-designated closer to home.

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Respectfully submitted,

/s/

Martin S. Cohen
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Cc. Jane Chong, Esq. by ECF